

KNOWS SULLIVANS OR MULLIGAN?

EVERY POOLROOM WITNESS ASKED THAT BEFORE GRAND JURY.

One Race News Bureau Cuts Its Wires and Leaves Customers in the Lurch—Miles O'Reilly Finds a New Poolroom in His Precinct—Subpoenas for Witnesses.

Every witness of any importance who has been examined before the Grand Jury in District Attorney Jerome's gambling investigation has been asked if he knew four members of the Sullivan clan of the Bowery—Big Tim, former Congressman; Little Tim of the Board of Aldermen; Larry Mulligan, Big Tim's half brother; and Christie Sullivan, who has just been elected to the State Senate.

One of the witnesses thus questioned was Sam Deibel, who admitted that he was connected with a bureau that furnished racing information and who said that he supplied the bank roll for two poolrooms. Other witnesses were examined along the same line. They were asked if the Sullivans had any connection with poolrooms or what else they knew about the Sullivans.

So far as could be learned yesterday no witness has appeared who has professed to have any knowledge that the Sullivans are even remotely connected with the poolroom game. Some of them said that they knew one or the other or all of the Sullivans, but the clan is known for its wide acquaintance and many activities.

Mr. Jerome refuses to give any intimation of what he is driving at in this line of inquiry. He had a long talk yesterday afternoon with his chief clerk, John A. Henneberry, and with Mr. Murphy, who is assisting him in the investigation. It is hinted that he is going to jump his investigation from the Second Inspection district, which is west of the Bowery, to the First Inspection district, which includes the Bowery and the reservation of the Sullivans. Mr. Jerome probably thinks that the Sullivans, because of their intimate knowledge of conditions in their bailiwicks, ought to know a great deal of what is going on. Although Big Tim and Little Tim do not devote as much time to their Bowery districts as they did in the past—Big Tim because of his theatrical enterprises and Little Tim because of his many political activities—Larry Mulligan has kept a close eye on what has been doing, especially in the interest of the Sullivans.

Jackie Josephs, who is described as being in a syndicate that has been running a number of poolrooms in the Second Inspection district, was not examined yesterday before the Grand Jury. Because of the fog District Attorney Jerome did not get back from Lakeville, Conn., where he spent Sunday, until shortly before the Grand Jury adjourned.

Mr. Jerome's office waited at the District Attorney's office until Mr. Jerome appeared. Josephs kept close to a telephone in Lawyer O'Reilly's office. When Mr. Jerome appeared Lawyer O'Reilly was told to bring his man around this morning at 10:30 o'clock.

Mr. Jerome said last night that he hadn't heard from the five other men whom he issued a public invitation to appear before the Grand Jury. According to Lawyer O'Reilly most of these men are in town.

Mr. Jerome has stopped one of the men which has been supplying racing information to poolrooms and coincidentally several poolrooms which have been taking a chance and trying to do business downtown have been cut off from all information. When the poolroom managers started to find out what all the trouble was about they were told by the men who have been running the information bureau that the wires had been cut. This started a story in the District Attorney's office that Mr. Jerome, through the cooperation of the telephone and telegraph companies, had started out to trace the racing bureaus over the wires and the managers of these bureaus, hearing of this, had decided to shut off all communication, even from their clients.

Mr. Jerome got another job yesterday afternoon. Under orders from Commissioner Bingham Inspector McCluskey furnished another list of the suspected poolrooms in the Second Inspection district, up to and including yesterday. Mr. Jerome was surprised to find that the poolroom at 80 Sixth avenue, the Allen-Falk room, was still being carried on the list as being run by one Joseph Hansen. Capt. E. F. O'Reilly filed with the report a statement that the police were unable to inspect the place because of the existence of a Supreme Court injunction.

At the same time Capt. O'Reilly reported that he had found another poolroom, making twelve in the Mercer street precinct, and that he had immediately had subpoenas sent out for the reputed owner of the room and the owner of the building that harbors it. They will be examined before the Dowling law.

Some progress was made in getting the papers in the injunction suits. The poolroom men took against the police. A number of these papers were sent to the District Attorney's office yesterday afternoon by Corporation Counsel Ellison. Every day named in the papers will be called before the Grand Jury, including the lawyers who had anything to do with the proceedings. It is said that E. F. Fuchs has acted for the poolroom men in most of the cases.

GIFT TO JUSTICE O'BRIEN.

Court Attendants Present to Him a Silver Punch Bowl.

The court officers and attendants of the Supreme Court who work in the County Court House and the Appellate Division assembled yesterday in Part X, Trial Division, in the present building, last evening, to present to Morgan J. O'Brien, who recently resigned as Presiding Justice of the Appellate Division of the Supreme Court in the First Department, a silver punch bowl.

All the Justices now sitting in this department and many of the judges and justices in other departments, to say nothing of a number of lawyers, were on hand. The judge had been kept in complete ignorance of the presentation of the gift. He was in the County Court House from his offices downtown on a supposed matter of business. He was very much surprised when he was taken into the court room and found a couple of hundred men assembled to greet him.

Justice Triun welcomed Mr. O'Brien, and Michael B. Fitzpatrick, one of the court officers, made the presentation speech. Justice O'Brien replied in a short speech.

FOR GEN. BOYCE'S WIDOW.

\$500 Damages Awarded—He Was Killed by a Broadway Car.

WHITE PLAINS, N. Y., Dec. 10.—In the suit of Mrs. Mary E. Boyce against the New York City Railway Company for \$50,000 damages for the death of her husband, Gen. Henry B. Boyce, a jury in the Supreme Court today returned a verdict against the corporation for \$2,500 in favor of the widow.

Gen. Boyce, who was at one time prominent in Republican politics in Ohio, was killed while crossing the tracks on lower Broadway, Manhattan, two years ago.

Court of Claims Session.

The Court of Claims did not get to the Park avenue cases in its opening of a special session in Department 9 of the County Court building yesterday. Instead, it began trying the so-called O'Connor case, in which Michael E. O'Connor and John M. Booth, contractors, of Jamaica, ask for \$150,000 for work alleged to have been done on the State hospital at Rochester. This case will be resumed at 10 o'clock this morning.

The shortest path is by an ELLIOTT-FISHER ADDING TYPEWRITER AND BILLING MACHINE.

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PERKINS CASE UP AGAIN.

Jerome's Appeal Argued Before the Court of Appeals.

ALBANY, Dec. 10.—Arguments were presented in the Court of Appeals this afternoon in the criminal proceedings brought by District Attorney Jerome of New York against George W. Perkins, vice-president of the New York Life Insurance Company, in connection with the payment of \$48,500 to Chairman Cortelyou of the Republican national committee during the campaign of 1904. On December 30, 1904, upon the order of President McCall of the company and with the knowledge of the company's finance committee, of which Mr. Perkins was chairman, this amount with interest was made good to Mr. Perkins.

On March 28 of this year, after examining the evidence brought out by the Armstrong committee, Mr. Jerome applied to City Magistrate Joseph Moss for a warrant of arrest for Mr. Perkins on the ground that he had committed a criminal act in having paid the money out as his own funds for the benefit of the insurance company. Mr. Perkins was arrested on this bench warrant, charged with the crime of grand larceny in the first degree. Counsel for Mr. Perkins secured a writ of habeas corpus and brought him before the Supreme Court. Justice Greenbaum, sitting in Special Term, dismissed the writ of habeas corpus and the accompanying writs of certiorari and upheld the District Attorney.

An appeal was taken at once by counsel for Mr. Perkins and on May 25 of this year the Appellate Division reversed Justice Greenbaum and upheld the contentions of the attorneys for Mr. Perkins. The order of this court dismissed the order of arrest and released Mr. Perkins from custody.

It was from this decision of the Appellate Division that District Attorney Jerome appealed and it was this appeal that was argued to-day. Wallace Macfarlane, who with Edward B. Whitney was counsel for the District Attorney in the People's case, presented the arguments for the appellants. Former Justice William N. Cohen of the Supreme Court, who with Lewis L. Deland and Howard S. Gana is counsel for Mr. Perkins, presented the arguments for Mr. Perkins.

The contention was advanced by Mr. Perkins' attorneys that the substance of this character had frequently been made from time to time on order of President McCall and for the benefit of the material interests of the policyholders. The reason why Mr. Perkins made the initial payment, it was explained, was in order to make it easier for President McCall to refuse demands for other campaign contributions. As to the disbursement itself, Mr. Perkins paid out the money for the company in the form of a check, which he was acting for its interests and without a shadow of a doubt as to his right to do what he was doing.

Mr. Macfarlane in his argument said: "The question involved in this case is whether a corporate officer paying out funds of the corporation without consideration moving to it and without authority of its members or directors for a purpose foreign to its business and known or feared by him to be wrong, although payments for that specific purpose have not been specifically covered by the provisions of the Penal Code, nevertheless commits the crime of larceny. The payment to Perkins was unauthorized by members or directors." "The purpose for which the payment was made was foreign to the business of the corporation. It was also against public policy. Perkins was an accessory to the fact. There was sufficient evidence before the Magistrate to warrant his inferring that the payment was known or feared to be wrong, both by Perkins and by the treasurer."

INDUSTRIAL SCHOOL OPENED.

Institution at Columbus, Ga., Aided by G. F. Peabody Gives Good Promise.

COLUMBUS, Ga., Dec. 10.—The opening of the new Secondary Industrial School to-day marked an epoch in industrial education in Georgia.

The school is the only institution of its kind in the South. The object of the school, which was established with the financial assistance of the Hon. George F. Peabody of New York, is to educate young people between 14 and 20 and prepare them for intelligent service in industrial occupations.

While informal, the opening was attended by many educators and was marked by a large attendance of pupils, many of them former operatives in the Columbus cotton mills, out of employment through the recent enactment of child labor law.

An efficient corps of teachers of wide experience in industrial training is in charge of the school.

For girls there is opportunity for training in dressmaking, millinery and office work, including stenography, typewriting, bookkeeping, filing and indexing and the general care of an office.

For boys there will be opportunity for training in carpentry, pattern making, management of woodwork machines, blacksmithing and machine shop work.

All pupils decide upon the occupation they want to follow before entering school and get special training along that line.

WANTS RAILROADS REEMASSED.

Pennsylvania Legislator Says They Are Charging for More Miles Than Are Traveled.

PITTSBURGH, Dec. 10.—It was announced to-day that at the next session of the State Legislature Representative H. L. Riley will introduce a bill providing for the re-survey of the 12,000 miles of railroad in Pennsylvania.

Mr. Riley says the Pennsylvania and other roads have shortened their routes many miles by cut-offs the past few years, but have not reduced mileage rates.

Mr. Riley says the railroads of the State are getting more than \$1,000,000 a year by charging for longer distances than are really traveled.

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BURNHAM TRIAL NEAR AN END

JUSTICE GREENBAUM TO CHARGE THE JURY THIS MORNING.

Rand and Nott Sum Up With Occasional Side Blows at Each Other—Stress Laid on the Failure of F. A. Burnham to Take the Stand for His Brother.

George Burnham, Jr., who was counsel for the Mutual Reserve Life Insurance Company, will know to-day what the jury thinks of the charge that he stole \$7,500 from the company. Both Assistant District Attorney Nott and William Rand, Jr., summed up yesterday, and Justice Greenbaum, before whom the case has been tried in the Supreme Court, Criminal Branch, will charge the jury this morning.

Only a couple of witnesses were examined yesterday. Frederick A. Burnham, president of the company, was not a witness for his brother. The charge of larceny against George Burnham drew out of a loan which J. Douglas Wells, who was connected with the company, says he made to Frederick A. Burnham. Mr. Nott in summing up made a point of the fact that Frederick A. Burnham, who knew more about the validity of the loan than anybody else, failed to take the stand.

Mr. Rand started out in his summing up by attacking the attitude of the prosecution. "The prosecutor," he said, "reminds you of a captain of vigilantes who is leading out an alleged homebody to be hanged. Let's have a trial," suggests the tenderfoot. "What's the use?" replies the captain. "He stole the horse, that's enough."

He blamed the entries in the company's books about the payment of certain claims to the comptroller of the company, and not George Burnham. The policyholders lost nothing, he said. Lawyer George Edlin Joseph's conduct in handling the case against the company was severely criticized by Mr. Rand, who said that it wasn't hard to judge between Joseph and Burnham as to who was telling the truth. "I do not appear here as a supplicant for mercy," said Mr. Rand, turning on his spiritual guns, "but as a citizen demanding justice. You are not asked to vent on this man the sins of other men in other places whom you deem guilty. Will you in this solemn hour listen to such rotten slander as the Lauterbach-Pay-exempt freemason's story? Will you listen to this Frankenstein of iniquity tagged out by skilful tailors in Joseph's coat of many colors? God help you in days to come if you should find this man guilty without a clear conscience as to his guilt."

Mr. Nott referred to the sequence of Mr. Rand, saying that it was a dangerous thing which the jury should not allow to cloud the facts in the case. One minute, he said, Mr. Rand asked for mercy and the next for justice. "There is nothing in this case for me except my salary," said Mr. Nott. "There is no insurance money from downtown coming to me because of this case." He called Edward Lauterbach—who was a witness for Burnham—"Smooth Ed" and said he was a bosom friend of Lou Park.

"Where is Frederick A. Burnham?" asked Mr. Nott. "Why is he not here to-day?" Wells loaned him the money. He can explain the whole thing. He can explain the loan made by proxy, from the defendant and Eldridge, but where is F. A. Burnham? He was the man most benefited, but have you seen him at this trial since the jury was drawn?

Burnham did not use a crowbar to get this money. When a man commits a crime of this kind he does not leave an open trail. He covers his tracks. Robbery like this is worse than robbery by violence. It is much worse to have the paymaster's money looted by officers. This money was taken from dues and assessments smoking hot from the policyholders' pockets. There is no question of moral right here. This was plain outright stealing, and it is for you to decide whether it is to be tolerated."

The last witness yesterday was E. W. M. Ehlers, who was a director of the company. Mr. Nott got him to admit that part of the money which was included in the \$13,000 payment to Lawyer Joseph was to go to Wells. Burnham and Eldridge have testified that not a cent was to go to Wells for anything.

INTERMYER CHARGES FORGERY.

Says New York and Mutual Are Casting Fraudulent Ballots.

Samuel Untermyer, general counsel for the International Policyholders' Committee, issued yesterday a statement that names of policyholders are being forged to ballots in favor of the administration tickets. Mr. Untermyer asserts that these forged ballots are being sent to the offices of the companies to be counted when the election closes a week from to-day.

Mr. Untermyer's statement reads: Information comes to the International Policyholders' committee from many directors that the names of policyholders are being forged to ballots in different sections of the country and that these forged ballots are being forwarded to the companies.

The forgeries have been rendered possible by the action of the companies in placing upon the ballots which they have sent out the numbers of the policies, which were regarded as confidential information, without which numbers nobody but the policyholder himself could have presented a ballot. The number was required to be placed on the ballot as a means of identification. That means has been destroyed by the agents of the companies.

Some time ago the committee ascertained that the New York Life Insurance Company officials were making lists of the names of policyholders who voted as their ballots came to the company. The Superintendent of Insurance was covering up the fact that the committee the same facilities, so that the committee might communicate with the policyholders and ascertain whether they were actually voting these ballots or whether they were being voted by some other person. The New York Life had now discontinued the practice of taking the names from the ballots that were sent to the company. It was difficult for the committee to stand by it, should not be furnished the same facilities for knowing who voted and for verifying the vote as had been permitted the New York Life, but like many other things that have happened in this election it has had no satisfaction. If we had something of the methods that obtained in the States of Tennessee and Kentucky we might have had something approaching a fair election.

Notwithstanding the frauds that have been practiced and the attitude of the State Superintendent of Insurance the vote is going to be very close in both companies.

HEAVY SEAS HIT LINER.

The Rhein Reports a Hard Trip—Missup to the Lauschan.

Tall seas battered the North German Lloyd steamship Rhein, in yesterday from Bremen, on the last half of her trip. Off George's Shoals the wind blew with hurricane force and the liner took aboard many crests. On December 2 Mrs. Anna Zoller, a cabin passenger, 73 years old, died of heart disease, aggravated by seasickness, and was buried at sea.

The German freighter Lauschan, from Stettin and Shields, with a cargo of sugar, had a hard tussle with adverse winds and seas. On Saturday a heavy wave that came over the starboard bow smashed the cover of hatch 1 and 15,000 sacks of sugar were soaked by the seas.

Theatre Manager Held for Trial.

The examination of Thomas H. Sheldon, superintendent of Keith and Proctor's Fifty-eighth Street Theatre, was resumed in the Yorkville police court yesterday.

On advice of counsel he refused answers to questions and was held in \$500 bail for trial.

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MISSSES' and GIRLS' DEPARTMENT

THIS DAY, TUESDAY, DEC. 11th,

ADDITIONAL REDUCTIONS, AMOUNTING TO ONE-HALF THE ORIGINAL PRICES, WILL BE MADE IN MISSSES' AND CHILDREN'S DRESSES AND OUTERGARMENTS OF VARIOUS STYLES.

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For WEDNESDAY, December 12th,

HAVE ESPECIALLY PREPARED A LARGE QUANTITY OF

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IN A VARIED SELECTION OF FURS,

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JEWELLED NECKLACES

We invite examination of an unusual collection of festooned necklaces, La Vallieres and collar-ettes, set with semi-precious stones, in original and distinctive designs.

Festooned Necklaces, set with

Amethysts,	\$10.75	Turquoises,	\$12.75
Topaz,	10.75	Tourmalines,	25.00
Pearls,	16.50	Opals,	16.50
Peridots,	15.50	Aquamarines,	20.00

Richer Necklaces, \$30 to \$300.

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FAIR PLAY FOR THE NEGRO.

Robert Erskine Ely Speaks at Orphan Asylum Meeting.

Speaking at the seventieth annual meeting of the New York Colored Orphan Asylum yesterday Robert Erskine Ely declared that it was hard to imagine any country or any age having a problem more difficult to solve or more vexatious to the consciences of its people than the negro problem. The speaker said that the negro got the franchise when he was not prepared to receive it, but that was not his fault. Now that he had it it could be taken away and the first thing for every reasonable being to do was to accept the inevitable and see that the negro gets his right and is sustained in it just as any other citizen is and should be. Continuing Mr. Ely said:

Now let us get right down to conditions right here in New York. Just a few years ago there were 60,000 colored people in New York, and it is estimated, probably with a good deal of correctness, that there are now more than 80,000. The percentage of the criminal, the vicious and the pauper elements among them is frightfully large. And that is an estimate made by a colored authority, and it doesn't preclude the fact that there is a great proportion of good people among them.

Why is all this true? Because we here in New York, when actual facts are gotten at, really treat negroes in some ways worse than they are treated in Atlanta. There and at other points in the South the negro is admitted to many industries, many lines of effort, to which we do not admit him. Many negro men do. They get as high, possibly, as the twelfth story. And that is as far as they do get. New York is shut, for the most part, to the colored water, for this is, as far as waiters are concerned, a "white town." A few may become porters on elevated stations, and a few, a very few, may labor in other directions. But cannot you imagine how galling it must be to one who wants to rise, and who many times could rise, to find a great wall, almost impassable, raised against him.

It is proposed by the asylum to erect seven of the ten cottages on the association's new site on Washington Heights and Mrs. Willard Parker announced that it would be necessary to raise \$15,000 for this purpose. Mrs. Parker was re-elected president.

30 MAROONED WITH NO SHELTER.

Big Ship Hits Rocks and Sinks—Passengers and Crew on Uninhabited Island.

DETROIT, Dec. 10.—The passenger steamer Monarch of the Northern Navigation Company's fleet struck the rocks near Isle Royale, Lake Superior, Sunday morning and went down in fifty feet of water.

More than a score of passengers and a crew of thirty were on board, but they all escaped on a tug to a small island.

News of the wreck was brought to Port Arthur by the steamer Edmonton and the tug Whaler was dispatched to rescue the marooned passengers and crew.

A despatch from Fort Williams says the island where the shipwrecked people landed is uninhabited and without buildings. That it is feared there that some may have perished from the cold.

MORE CARS IN BROOKLYN.

Increase of Traffic Facilities of Twenty-five Per Cent. or More.

The Brooklyn Rapid Transit Company put into operation yesterday an increased service on both elevated and surface lines. While it was impossible to tell in a general way just how many additional cars were put into service, the officials say that the service was increased from 25 to 33 per cent. The increase went into effect during the midday hour and was greatly appreciated by the travelling public. Where three car trains on the elevated roads had been the custom four car trains were operated. On car trains were increased to three car trains, and on the surface lines additional cars were operated on all the lines leading to the Williamsburg Bridge, the Brooklyn Bridge and the Thirty-ninth street ferry.

"All these changes had been decided upon by the Brooklyn Rapid Transit Company," said one of the officials yesterday, "before the State Railroad Commission had suggested them. One reason we could not carry the changes into effect before was owing to the fact that we did not have the power which permitted the increase in cars. A new 12,000 horse-power unit went into service. With that we were able to put on extra cars. Two months ago we increased the service in the South Brooklyn section of the Thirty-ninth street ferry lines. So within two months we have given an increased service of at least 33 per cent."

There was a slight block early in the day which undoubtedly was due to the extra number of cars being operated on a new schedule. But this lasted only a short time. The probabilities are that it will not occur again, as the new schedule will be better understood."

The Knights of Columbus Hall.

The charity ball to be given by the Knights of Columbus of Long Island on January 16 will be held at the Forty-seventh Regiment armory, Brooklyn, and not at Prospect Hall, as was said in THE SUN. The armory will accommodate 12,000 persons and it is expected that that number will attend the ball which is under the supervision of the Long Island Chapter, which has a total membership of 19,000.

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TWILLED SILK UMBRELLAS

IN TWENTY-SIX AND TWENTY-EIGHT INCH SIZES, SUITABLE FOR MEN AND WOMEN.

With handles of Buckhorn, Ivory, Pearl, Sterling Silver, etc., at \$3.00

With handles of English Natural Wood, usually sold for \$3.00, at \$2.00

WOMEN'S NECKWEAR

A VARIETY OF STYLES IN WOMEN'S NECKWEAR, FOR STREET SUITS AND DRESSES.

Lace Yokes, each, \$2.25 Lace Chemisettes, each, \$1.50

Chemisettes of lace and batiste combined each, 1.85

Lace Collar and Cuff Sets per set, 90c. and 45c

Cot Sets of lace and linen combined per set, 75c

Lace Coat Collars, each, 55c. Lace Stocks, each, 35c

DRESS GOODS

THIRTY-FIVE HUNDRED YARDS OF FANCY CLOTH

MIXTURES, IN BROWN, GREEN, NAVY AND BLACK

AND WHITE, FIFTY-FOUR INCHES WIDE,

USUALLY \$1.75 PER YARD, AT THE EXCEPTIONALLY LOW PRICE OF 78c PER YARD

IMPORTED BEDSPREADS

A SPECIAL SELECTION OF IMPORTED SATIN-FINISH BEDSPREADS, IN A VARIETY OF MEDALLION

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USUALLY \$6.50 TO \$15.00 EACH,

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BLANKET DEPARTMENT, THIRD FLOOR.

STORE WILL BE CLOSED DAILY AT SIX P. M.



The Children's Aid Society asks your help to make a Merry Christmas for the children of the poor. Sheltered in our Lodging Houses and Temporary Homes are hundreds of homeless boys and girls, and some 15,000 children of the tenements attend our Industrial Schools. We wish to make Christmas bright and happy for these children with gifts of toys, clothing, shoes, etc., and Christmas dinners. We also especially wish to provide good homes in the country for the orphans, the cost of which is thirty dollars for each child. We ask for gifts, large or small, to help along this work.

Checks may be made payable to Mr. A. B. HEPBURN, Treasurer, 105 E. 22d Street, N. Y.

WM. CHURCH OSBORN, Pres't. C. LORING BRACE, Secretary.

GIRL FLEES FROM BURGLAR.

Runs Into a Glass Door and Severely Injures Herself.

Mary Werner, the twenty-year-old daughter of Charles Werner of 530 Knickerbocker avenue, Williamsburg, returned from a concert on Sunday night just in time to surprise a burglar. Her mother was absent, but she heard a noise in her mother's room, and as she entered the room she saw a man's legs disappearing under her mother's bed. She began to scream and the man slipped out from beneath the bed, and drawing a revolver pointed it at Miss Werner. He threatened to blow off the